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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Scott Lamson on behalf of himself and all others similarly situated,

CASE NO. 08-cv-00153-JSW

The Hershey Company, Mars Inc.,
Masterfoods U.S.A., Inc., Nestle S.A., and
Nestle U.S.A., Inc.,

Defendant.

**STIPULATION TO EXTEND DEADLINES
IN THE SCHEDULING ORDER;
[PROPOSED] ORDER EXTENDING
DEADLINES IN THE SCHEDULING
ORDER**

Honorable Jeffrey S. White

Plaintiff Scott Lamson (“Plaintiff”), by and through counsel of record, hereby submits this Stipulation to Extend Deadlines in the Scheduling Order.

WHEREAS the Plaintiff filed a Complaint in the above-captioned case on January 9, 2008, alleging that Defendants violated federal antitrust laws by conspiring to fix the price of certain chocolate products [Docket No. 1];

WHEREAS Plaintiff's case and the other related federal court actions (collectively, "the

1 Chocolate Cases") are the subject of several motions to consolidate and transfer that are currently
2 pending before the Judicial Panel on Multidistrict Litigation ("JPML");
3

4 WHEREAS the parties' executed a stipulation on February 6, 2008 to extend Defendants'
5 time to respond to the Complaint and to stay discovery pending a ruling by the JPML [Docket
6 No. 3] ("the February 6, 2008 Stipulation");
7

8 WHEREAS the Court granted the parties' request to enter the February 6, 2008
9 Stipulation on February 20, 2008 [Docket No. 5];
10

11 WHEREAS the Court's Order Setting Initial Case Management Conference and ADR
12 Deadlines ("the Scheduling Order") requires the parties to meet and confer regarding discovery
13 and file an ADR certification on or before March 25, 2008, file a Rule 26(f) Report by April 8,
14 2008, and attend an initial case management on April 15, 2008 [Docket No. 2];
15

16 WHEREAS no party has sought to have the Chocolate Cases transferred to the Northern
17 District of California and Plaintiff's case is likely to be transferred by the JPML to another
18 judicial district for pretrial proceedings; and
19

20 THEREFORE, PLAINTIFF AND DEFENDANTS, BY AND THROUGH THEIR
21 RESPECTIVE COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:
22

23 The dates set forth in the Court's Scheduling Order should be stayed until such time as the
24 JPML rules on the pending motions to consolidate and transfer the Chocolate Cases and, if so
25 ordered, pending transfer and coordination or consolidation in the transferee court.
26

27 IT IS SO STIPULATED.
28

29 Based on the above Stipulation, Plaintiff requests that the Court enter the proposed order
30 attached hereto.
31

1 Respectfully submitted,

2 Dated: March 24, 2008

3 By: /s/ Lauren C. Russell

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